

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Karen L. Bartlett

v.

Civil No. 08-cv-00358-JL

Mutual Pharmaceutical
Company, Inc.

PROCEDUARL ORDER

In order to facilitate the orderly resolution of outstanding issues as trial approaches, the following deadlines are established:

1. Bartlett's objection to the pending motion for reconsideration (document # 263) is due **July 30, 2010**. No leave for a reply will be granted.

2. Mutual's objection to Bartlett's motion in limine regarding causation (document # 261) is due **July 26, 2010**. No leave for a reply will be granted.

3. The parties will file Trial Briefs no later than two calendar days before the date of the final pretrial conference, excluding weekend days (if applicable, depending on whether and to when the final pretrial conference is rescheduled). The Trial Briefs shall set forth the elements of proof as to all remaining claims and defenses¹, and the party carrying the burden of proving these elements shall set forth the evidence it will present to satisfy them. Page limit is 25 pages. The briefs shall not include exhibits, but may make reference to exhibits attached to the parties' summary judgment papers or other filings.

SO ORDERED.

¹As far as the court is concerned, the affirmative defenses at issue are the "comment K" defense, the "third party culpability" defense involving the prescribing physician's conduct, and the culpability defense involving Bartlett's own conduct. Any other defenses are briefed at the defendant's own discretion.

A handwritten signature in black ink, reading "Joe Laplante". The signature is fluid and cursive, with the first name "Joe" and last name "Laplante" clearly distinguishable.

Joseph N. Laplante
United States District Judge

Dated: July 21, 2010

cc: Keith M. Jensen, Esq.
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